

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY DOYLE YOUNG.

No. C 10-0957 SBA (PR)

Petitioner,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

V.

UNITED STATES OF AMERICA,

Respondent.

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On March 5, 2010, Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day the action was filed and again, on March 11, 2010, the Court sent notifications to Petitioner informing him that his action could not go forward until he paid the filing fee or filed a completed in forma pauperis application. The Clerk of the Court sent Petitioner a blank in forma pauperis application and told him that he must pay the fee or return the completed application within thirty days or his action would be dismissed.

On April 26, 2010, Petitioner then filed an in forma pauperis application; however, he did not file copies his Certificate of Funds and prisoner trust account statement. On April 29, 2010, the Court issued another notification along with a blank in forma pauperis application. The Clerk informed him that his action could not go forward until he either paid the fee or submitted copies of the Certificate of Funds and prisoner trust account statement within thirty days. On May 21, 2010, Petition filed an in forma pauperis application; however, once again, he did not file copies his Certificate of Funds and prisoner trust account statement.

On August 26, 2010, the Court issued an Order Regarding In Forma Pauperis Motion. The Court directed Petitioner to either pay the fee or submit his copies his Certificate of Funds and prisoner trust account statement within thirty days of the date of the Order. Petitioner was also informed that the failure to pay the filing fee or file the requisite documents within the thirty-day deadline shall result in dismissal of this action.

1 More than thirty days have passed, and Petitioner has not paid the filing fee or filed copies of
2 the Certificate of Funds and prisoner trust account statement. Accordingly, this action is
3 DISMISSED WITHOUT PREJUDICE. The Court has rendered its final decision on this matter;
4 therefore, this Order TERMINATES Petitioner's case. Petitioner's in forma pauperis application is
5 DENIED as incomplete. The Clerk of the Court shall close the file.

6 This Order terminates Docket no. 10.

7 IT IS SO ORDERED.

8 DATED: 11/9/10


9 SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

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6 TIMOTHY DOYLE YOUNG,

Case Number: CV10-00957 SBA

7 Plaintiff,

CERTIFICATE OF SERVICE

8 v.

9 UNITED STATES et al,

10 Defendant.

11 _____ /
12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

13 That on November 10, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
located in the Clerk's office.

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17 Timothy Doyle Young 60012-001
18 Federal Correctional Institution
19 Corrective Services Management
9595 West Quincy Ave.
Littleton, CO 80123

20 Dated: November 10, 2010

21 Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk

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